

**REMARKS**

Claims 1-3 and 5-15 are pending in this application. By this Amendment, claims 1-3 and 5 are amended, claim 4 is canceled and claims 13-15 are added. Claims 3 and 5 have been amended to overcome the 35 U.S.C. §112, second paragraph, rejection .

No new matter is added by this Amendment. Support for the language added to claims 1, 2 and 5 and new claims 13-15 can be found, for example, on pages 11-12 of the specification.

**I. Drawing Objections**

The drawings submitted on October 21, 2003 were objected to as allegedly not being in compliance with 37 C.F.R. 1.121. In particular, the top margin of each of the drawing sheets was not labeled "Replacement Sheet." Accordingly, Applicants herewith submit corrected replacement drawing sheets in which the proper "Replacement Sheet" label has been added. Thus, withdrawal of the drawing objection is respectfully requested.

**II. Specification Objection**

The specification was objected to for informalities. In particular, the Patent Office required that all trademarks be capitalized. Accordingly, Applicants have appropriately amended the specification where needed. Thus, withdrawal of the specification objection is respectfully requested.

**III. Rejection Under 35 U.S.C. §112, second paragraph**

Claims 3 and 4 were rejected under 35 U.S.C. §112, second paragraph, as allegedly being indefinite. In particular, the phrase "has a bonding hand with R<sup>1</sup>" is allegedly unclear.

Applicants initially point out that claim 4 has been canceled. Claim 3 has been amended to recite that "at least one of Ar<sup>1</sup> to Ar<sup>5</sup> is bonded to R<sup>1</sup> in general formula (2)" as interpreted by the Patent Office.

As claim 3 is now definite, Applicants respectfully request reconsideration and withdrawal of the rejection.

**IV. Rejections Under 35 U.S.C. §102**

**A. Yamada**

Claims 1-12 were rejected under 35 U.S.C. §102(e) as allegedly being anticipated by U.S. Patent Application Publication No. 2004/0086794 ("Yamada"). This rejection is respectfully traversed.

Filed herewith is a verified translation of the priority document which confirms the right of the claims to the March 24, 2003 priority date. As a result, Yamada, filed August 27, 2003, is not available as prior art under 35 U.S.C. §102(e). Accordingly, reconsideration and withdrawal of the rejection are respectfully requested.

**B. JP '447**

Claims 1-6, 11 and 12 were rejected under 35 U.S.C. §102(b) as allegedly being anticipated by Japanese Patent 2001-100447 ("JP '447"). This rejection is respectfully traversed.

The Patent Office alleges that JP '447 teaches a siloxane resin with the same compositional limitations recited in claims 1, 2 and 5. Applicants respectfully disagree with this allegation.

JP '447 simply teaches a compound having oxygen at a position corresponding to the "Y" of general formula (1) as recited in claims 1, 2 and 5. Specifically, JP '447 merely teaches a compound having a structure " $\text{--Si--O--Si--}$ ."

JP '447 does not teach or suggest that "Y" represents a divalent group containing at least one carbon atom in its main chain as recited in amended claims 1, 2 and 5. Further, when "Y" is represented by such a divalent group, moderate flexibility tends to be imparted to

the resulting resin to improve the strength of the layer. See page 12, lines 11-14 of the specification. JP '447 does not teach or suggest this effect.

For the foregoing reasons, Applicants submit that claims 1-6, 11 and 12 are allowable over JP '447. Thus, reconsideration and withdrawal of the rejection are respectfully requested.

**C. Shida**

Claims 1-7, 11 and 12 were rejected under 35 U.S.C. §102(e) as allegedly being anticipated by U.S. Patent No. 6,479,202 ("Shida"). This rejection is respectfully traversed.

As with JP '447, the Patent Office alleges that Shida teaches a siloxane resin with the same compositional limitations recited in claims 1, 2 and 5. Applicants respectfully disagree with this allegation.

Shida simply teaches a compound having oxygen at a position corresponding to the "Y" of general formula (1) as recited in claims 1, 2 and 5. Specifically, Shida merely teaches a compound having a structure " $\text{--Si--O--Si--}$ ."

As with JP '447, Shida does not teach or suggest that "Y" represents a divalent group containing at least one carbon atom in its main chain as recited in amended claims 1, 2 and 5. Further, as explained above, when "Y" is represented by such a divalent group, moderate flexibility tends to be imparted to the resulting resin to improve the strength of the layer. See page 12, lines 11-14 of the specification. Shida does not teach or suggest this effect.

For the foregoing reasons, Applicants submit that claims 1-7, 11 and 12 are allowable over Shida. Thus, reconsideration and withdrawal of the rejection are respectfully requested.

**D. JP '886**

Claims 1-6, 11 and 12 were rejected under 35 U.S.C. §102(b) as allegedly being anticipated by Japanese Patent 2000-275886 ("JP '886"). This rejection is respectfully traversed.

As with JP '447 and Shida, the Patent Office alleges that JP '886 teaches a siloxane resin with the same compositional limitations recited in claims 1, 2 and 5. Applicants respectfully disagree with this allegation.

JP '886 simply teaches a compound having oxygen at a position corresponding to the "Y" of general formula (1) as recited in claims 1, 2 and 5. Specifically, similar to JP '447 and Shida, JP '886 merely teaches a compound having a structure " $\text{--Si--O--Si--}$ ."

As with JP '447 and Shida, JP '886 does not teach or suggest that "Y" represents a divalent group containing at least one carbon atom in its main chain as recited in amended claims 1, 2 and 5. Further, as explained above, when "Y" is represented by such a divalent group, moderate flexibility tends to be imparted to the resulting resin to improve the strength of the layer. See page 12, lines 11-14 of the specification. JP '886 does not teach or suggest this effect.

For the foregoing reasons, Applicants submit that claims 1-6, 11 and 12 are allowable over JP '886. Thus, reconsideration and withdrawal of the rejection are respectfully requested.

#### **V. New Claims 13-15**

JP '447, Shida and JP '886, either in combination or alone, do not teach or suggest any of the limitations recited in claims 13-15. In particular, none of JP '447, Shida or JP '886 teach or suggest a photosensitive layer of a photoreceptor comprising a siloxane resin that includes a  $\text{Si--Y--Si}$  unit in which Y is a divalent group selected from a group consisting of  $\text{--C}_n\text{H}_{2n}\text{--}$ ,  $\text{--C}_n\text{H}_{2n-2}\text{--}$ ,  $\text{--C}_n\text{H}_{2n-4}\text{--}$ ,  $\text{--C}_6\text{H}_4\text{--}$ ,  $\text{--C}_6\text{H}_4\text{--C}_6\text{H}_4\text{--}$ ,  $\text{--NH--}$ ,  $\text{--C}_n\text{F}_{2n}\text{--}$ ,  $\text{--COO--}$ ,  $\text{--S--}$ ,  $\text{--O--}$  and  $\text{--N=CH--}$ , provided that when a divalent group containing  $\text{--S--}$ ,  $\text{--NH--}$  and  $\text{--O--}$  is used, such a group is used in combination with a group containing a carbon atom as recited in claims 13-15.

**VI. Conclusion**

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-3 and 5-15 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,

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Date: January 21, 2005

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**Amendments to the Drawings:**

The attached replacement drawing sheets makes changes to Figs. 1-6 and replace the original sheets with Figs. 1-6.

Attachment: Replacement Sheets